

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CHARLES EDWARD JAMES,

Plaintiff,

v.

Case No.: 2:19-cv-715-FtM-38MRM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

ORDER¹

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation ("R&R") ([Doc. 23](#)) on Plaintiff's Unopposed Motion for Attorney's Fees ([Doc. 22](#)). Judge McCoy recommends granting the Motion. Neither party timely objected, so the matter is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's R&R. See [28 U.S.C. § 636\(b\)\(1\)](#); see also *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations, [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). The district judge reviews legal

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conclusions *de novo*, even in the absence of an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

After careful consideration and an independent review of the file, the Court accepts and adopts the R&R ([Doc. 23](#)) in full.

Accordingly, it is now

ORDERED:

- (1) The Report and Recommendation ([Doc. 23](#)) is **ACCEPTED and ADOPTED** and incorporated into this Order.
- (2) Plaintiff's Unopposed Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act ([Doc. 22](#)) is **GRANTED**
 - a. Plaintiff is **AWARDED** \$6,892.12 in attorney's fees.
 - b. If the United States Department of Treasury determines that Plaintiff does not owe a federal debt, the Government may pay these fees directly to Plaintiff's counsel.
- (3) The Clerk is **DIRECTED** to amend the judgment to include a \$6,892.12 attorney's fees award in favor of Plaintiff.

DONE and **ORDERED** in Fort Myers, Florida this 18th day of September, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record